

**UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
Charlottesville Division**

ELIZABETH SINES, SETH WISPELWEY,  
MARISSA BLAIR, TYLER MAGILL, APRIL  
MUNIZ, HANNAH PEARCE, MARCUS  
MARTIN, NATALIE ROMERO, CHELSEA  
ALVARADO, and JOHN DOE,

Plaintiffs,

V.

JASON KESSLER, RICHARD SPENCER,  
CHRISTOPHER CANTWELL, JAMES  
ALEX FIELDS, JR., VANGUARD  
AMERICA, ANDREW ANGLIN,  
MOONBASE HOLDINGS, LLC, ROBERT  
"AZZMADOR" RAY, NATHAN DAMIGO,  
ELLIOT KLINE a/k/a/ ELI MOSLEY,  
IDENTITY EVROPA, MATTHEW  
HEIMBACH, MATTHEW PARROTT a/k/a  
DAVID MATTHEW PARROTT,  
TRADITIONALIST WORKER PARTY,  
MICHAEL HILL, MICHAEL TUBBS,  
LEAGUE OF THE SOUTH, JEFF SCHOEP,  
NATIONAL SOCIALIST MOVEMENT,  
NATIONALIST FRONT, AUGUSTUS SOL  
INVICTUS, FRATERNAL ORDER OF THE  
ALT-KNIGHTS, MICHAEL "ENOCK"  
PEINOVICH, LOYAL WHITE KNIGHTS OF  
THE KU KLUX KLAN, and EAST COAST  
KNIGHTS OF THE KU KLUX KLAN a/k/a  
EAST COAST KNIGHTS OF THE TRUE  
INVISIBLE EMPIRE,

Defendants.

**Civil Action No. 3:17-cv-00072-NKM**

**PLAINTIFFS' MOTION FOR ENTRY OF DEFAULT AGAINST DEFENDANT EAST  
COAST KNIGHTS OF THE KLU KLUX KLAN**

Plaintiffs respectfully request that the Court enter default against Defendant East Coast Knights of the Klu Klux Klan, also known as the "East Coast Knights of the True Invisible

Empire” (“ECK”) pursuant to Federal Rule of Civil Procedure 55(a) on the ground that Defendant ECK has failed to plead or otherwise defend within the time prescribed by the Federal Rules of Civil Procedure (“FRCP”).

Plaintiffs effected service on Defendant ECK on February 1, 2018 through the Secretary of the Commonwealth of Virginia pursuant to Va. Code. § 8.01-329. (ECF 218.)

Plaintiffs put forth considerable effort in attempting to personally serve Defendant ECK. Plaintiffs retained a private investigator who searched for the location of the leader, or “Imperial Wizard” of Defendant ECK, “Thomas Larson.” However, even after consulting multiple databases, Plaintiffs were unable to find a “Thomas Larson” with sufficient connections to Defendant ECK, and it was suggested to Plaintiffs that “Thomas Larson” was more likely a pseudonym. Other efforts to narrow down a person who could accept service on behalf of Defendant ECK were unavailing.

Pursuant to FRCP 4(e)(1), service may be made by following state law for serving a summons in the state where the district court is located. In Virginia, service may be effected through the Secretary of the Commonwealth as the statutory agent of the party to be served. Va. Code. § 8.01-329. The party seeking service must file an affidavit stating either (i) that the party to be served is a nonresident or (ii) that, after exercising due diligence, the party seeking service has been unable to locate the person to be served. Va. Code. § 8.01-329(B). The party seeking service must also identify and provide the Secretary of the Commonwealth the “last known post-office address” of the party to be served. Va. Code. § 8.01-329(C)(2).

After exercising due diligence in attempting to locate Defendant ECK without success, Plaintiffs followed the procedure required to effect service through the Secretary of the Commonwealth under Va. Code. § 8.01-329. Specifically, Plaintiffs filed an affidavit with the

Secretary of the Commonwealth indicating that Defendant ECK is a foreign corporation and Va. Code. § 8.01-328.1(A) applies. Va. Code. § 8.01-329(B)(i). In accordance with Va. Code. § 8.01-329(C)(2), Plaintiffs determined Defendant ECK's "last known post-office address" to be 26 South Pine Street, Red Lion, PA 17356 based on Defendant ECK's Pennsylvania registered corporation details, which lists "Invisible Empire, Knights of the Klu Klux Klan" as an active non-profit corporation. Exhibit 1.<sup>1</sup>

On February 1, 2018, the Secretary of the Commonwealth filed the required Certificate of Compliance with the Court, thereby effecting service as of that date.<sup>2</sup> (ECF 218.) Based on the service date of February 1, 2018, Defendant ECK was required to respond by February 26, 2018, twenty-one days after service was effected. Va. Code. § 8.01-329(C)(3) ("The time for the person to be served to respond to process sent by the Secretary shall run from the date when the certificate of compliance is filed in the office of the clerk of the court in which the action is pending.").

As of the date of this motion, over three weeks have elapsed since the February 26, 2018 deadline, and Defendant ECK still has not filed an answer, motion, or otherwise appeared to defend against this action as required by FRCP 12(a)(1)(A). Accordingly, Plaintiffs respectfully ask the Court to grant this Motion to Enter Default against Defendant ECK for failure to plead or otherwise defend under FRCP 55(a).

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<sup>1</sup> There is no registered agent listed for "Invisible Empire, Knights of the Klu Klux Klan."

<sup>2</sup> Even after service through the Secretary of the Commonwealth was effected, Plaintiffs' private investigators continued to search for an address to reach Defendant ECK. Plaintiffs attempted to serve "William Walter," known as the "grand dragon" of the ECK, at 7111 Torresdale Avenue, Apt. 1, Philadelphia, PA 19135 on four separate occasions. These attempts were unsuccessful however, as the process server ultimately became aware that William Walters is deceased. Exhibit 2.

Dated: March 14, 2018

Respectfully submitted,

s/ Robert T. Cahill

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*Counsel for Plaintiffs*

### **CERTIFICATE OF SERVICE**

I hereby certify that on March 14, 2018, I filed the foregoing with the Clerk of Court through the CM/ECF system, which will send a notice of electronic filing to:

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*Pro Se Defendant*

I further hereby certify that on March 14, 2018, I also served the following non-ECF participants, via U.S. mail, First Class and postage prepaid, addressed as follows:

Loyal White Knights of the Ku Klux Klan  
a/k/a Loyal White Knights Church of  
the Invisible Empire, Inc.  
c/o Chris and Amanda Barker  
P.O. Box 54  
Pelham, NC 27311

Richard Spencer  
1001-A King Street  
Alexandria, VA 22314  
-and-  
P.O. Box 1676  
Whitefish, MT 59937

Moonbase Holdings, LLC  
c/o Andrew Anglin  
P.O. Box 208  
Worthington, OH 43085

Andrew Anglin  
P.O. Box 208  
Worthington, OH 43085

East Coast Knights of the Ku Klux Klan  
a/k/a East Coast Knights of the  
True Invisible Empire  
26 South Pine St.  
Red Lion, PA 17356

Fraternal Order of the Alt-Knights  
c/o Kyle Chapman  
52 Lycett Circle  
Daly City, CA 94015

Augustus Sol Invictus  
9823 4<sup>th</sup> Avenue  
Orlando, FL 32824

*s/ Robert T. Cahill*

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